

REMARKS

The Office examined claims 1-16 and rejected same. With this paper, various of the claims are amended, none are canceled, and new claims 17-20 are added so that claims 1-20 are now pending.

Rejections under 35 USC §102

At section 3 of the Office action, claims 1-5, 7, 9 and 11-16 are rejected under 35 USC §102 as being anticipated by U.S. Pat. App. Pub. No. 2001/0015720, hereinafter Inukai.

With this paper, claims 1 and 11, the only two independent claims examined by the Office, are amended to require that the input button is provided as a shape having a cavity or receptacle on an exposed surface and is either recessed into a surface of the device for which it provides inputs (i.e. lies in the surface), or is nearly flush with a surface of the device, and also that the indicator instrument is unattached to the input button. The indicator instrument does not attach to the input button. The input button is therefore a low-profile input device, as explained at page 6, line 23.

Claim 9 and claim 13 (amended by this paper to make express that the recited rocking motion is caused by a force couple) are believed allowable by virtue of their dependencies, and also because Inukai does not teach or suggest inputting a signal corresponding to a force couple, as required by claims 9 and claim 13. The Examiner relies on paragraph [0058] for a disclosure of same, but paragraph [0058] does not teach or suggest imparting a force couple. Instead of a force couple, it describes a single force:

When an operator applies a force on the stick member 22 to tilt toward the plus sides in the X-axis and the Y-axis directions, for example, the cross area 7 is deformed in

correspondence to the operating direction and amount of the stick member 22, and thus is deformed.

To exert a force couple on the input device disclosed by Inukai, i.e. stick member 22, would require being able to apply one force at one point of the stick member 22, and another force at a different point. Because the human hand would exert such forces, and because of the size of the typical human hand, the stick member would have to protrude probably at least a half inch above any obstructing elements located near the stick member, such as the keys of the keyboard. But Inukai discloses only a stick member of the sort that protrudes only slightly from a keyboard (see Fig. 4 and see par. [0036]), and so cannot be held by a user so as to apply a force couple.

Accordingly, applicant respectfully requests that the rejections under 35 USC §102 be reconsidered and withdrawn.

Rejections under 35 USC §103

At section 18 of the Office action, claims 6, 8 and 10 are rejected under 35 USC §103 as being unpatentable over Inukai in view of U.S. Pat. No. 6,239,786, hereinafter Burry.

Claims 6, 8 and 10 are believed allowable by virtue of their dependencies.

Further in respect to claim 10, applicant respectfully submits that the disclosure relied on by the Office in Burry does not teach or suggest a box-in-box structure. The Office relies on col. 7, lines 47-50, and col. 7, lines 35-36. The teachings there, however, are of a shaft in a tight fit area of a base, not of a box-in-box construction. A box-in-box as recited receives an end portion of an indicator instrument and so is open. The shaft, which the Office apparently likens to the inner box, is not open so as to receive an end portion of an indicator

instrument, and so cannot reasonably be likened to the inner box of a box-in-box construction.

Accordingly, applicant respectfully requests that the rejections under 35 USC §103 be reconsidered and withdrawn.

New claims

New claim 17 recites limitations corresponding to those of originally filed claim 9, but depends from claim 10.

New claim 18 is to a communication or computing device including the apparatus as in claim 1, and also including the indicator instrument recited in claim 1. For support for the recited snapping functionality, see page 6, line 12.

New claim 19 recites limitations corresponding to those of claim 1, and new claim 20 recites limitations corresponding to those of claim 2.

Conclusion


For all the foregoing reasons it is believed that all of the claims of the application are in condition for allowance and their passage to issue is earnestly solicited. Applicant's attorney urges the Examiner to call to discuss the present response if anything in the present response is unclear or unpersuasive.

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Date

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